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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,411	01/23/2004	Craig A. Wilensky	58564 (46846)	4554
21874	7590	09/30/2005		
EDWARDS & ANGELL, LLP P.O. BOX 55874 BOSTON, MA 02205			EXAMINER NGUYEN, KIMBERLY D	
			ART UNIT 2876	PAPER NUMBER

DATE MAILED: 09/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/763,411

Applicant(s)

WILENSKY, CRAIG A.

Examiner

Kimberly D. Nguyen

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/18/05</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

Re page 1, line 9: An actual serial number should be filled in the blank for the U.S.

Provisional Application Serial No. 60/____.

Appropriate correction is required.

Claim Objections

2. Claim 16 is objected to because of the following informalities:

Re claim 16, line 3: Substitute the typographical error “fore converting...” with “for converting...”

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3, 5-12, 14, 17-21 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Sherman et al (US 6,189,788).

Re claims 1-2, 6-12, 14, and 18-21: Sherman et al teaches a device for performing a task at a point of activity, comprising

a frame (160, 161, 168, 169 in figs. 8-9; column 10, line 51 through column 11, line 5);

Art Unit: 2876

a computing device (10 in figs. 1, 4, and 10) connected to the frame and operably linked to a power supply (133, 171 in fig. 10; column 11, lines 6-26; column 6, lines 64-66);

a barcode scanner (75 in fig. 2) operably linked to a barcode receiver on the frame (column 7, lines 3-24; column 5, lines 25-29; column 6, lines 14-17); and

a printer (83, 81 in fig. 10) for printing barcodes (column 8, lines 11-15).

Re claim 3: Sherman et al teaches the portable computing device 10 is a RF portable computer (column 5, lines 16-29), which is a wireless handheld computer.

Re claims 5 and 14: Sherman et al teaches a back plate 168 that receives the computing device wherein the back plate is tiltably mounted on the frame (fig. 9; column 11, lines 1-5).

Re claims 17 and 24: Sherman et al teaches the DC power source is one or more rechargeable type of batteries (133, 171 in fig. 10; column 11, lines 6-26).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sherman et al in view of Sturr, Jr. (US 2004/0143512 A1). The teachings of Sherman et al have been discussed above.

Sherman et al fails to specifically teach the computing device 10 is a wireless 802.11b computer.

Sturr, Jr. teaches a plurality of store servers in order to create total corporate information on all sold items from all stores, or for a single store sales using a wireless network such as a network operating on 802.11b protocol for communication (paragraph 26).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the wireless 802.11b network protocol as taught by Sturr, Jr. to the teachings of Sherman et al in order provide the a secure, fast and latest wireless Ethernet communication technology.

7. Claims 15 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sherman et al in view of Collins, Jr. (US 5,149,947). The teachings of Sherman et al have been discussed above.

Sherman et al does not specifically teach the power supply is configured and arranged so as to output a voltage lying in a predetermined range for a standard AC voltage and wherein the computing device and peripherals thereof are configured so as to be powered by the standard AC voltage.

Collins, Jr. further teaches incorporating the AC voltage for supplying the power to the computing device (column 3, lines 21-61).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate the AC voltage for supplying the power to the computing device to the teachings of Sherman et al due to the fact that if the internal rechargeable battery(s) are depleted/damaged one can still transport the computing device to an electrical outlet and complete his/her transaction. Accordingly, such modification could provide Sherman et al with an alternative means for powering the computing device.

Art Unit: 2876

8. Claims 16-17 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sherman et al as modified by Collins, Jr. as applied to claims 15 and 22 above, and further in view of Potega (US 6,459,175). The teachings of Sherman et al as modified by Collins, Jr. have been discussed above.

Sherman et al as modified by Collins, Jr. does not disclose a DC/AC converter as set forth in the claims.

Potega teaches an intelligent universal power supply converter device for accommodating any types of electronic devices wherein Potega also discloses the DC/AC converter (column 11, lines 54+; column 40, lines 40-54).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to further employ the intelligent universal power supply converter as taught by Potega into the teachings of Sherman et al as modified by Collins, Jr. in order to accommodate any existing specifications of electrical or electronic equipment already in use and any future product/equipment. Moreover, such modification would allow Sherman et al as modified by Collins, Jr. device to accommodate other electronic devices when AC power is needed, such as, an additional computing device.

Conclusion


Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Art Unit: 2876

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D. Nguyen whose telephone number is 571-272-2402. The examiner can normally be reached on Monday-Friday 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



KDN

September 27, 2005